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16 Attorneys for the United States

17
18 UNITED STATES DISTRICT COURT
19 DISTRICT OF NEVADA

20 UNITED STATES OF AMERICA,)

)

21 Plaintiff,)

)

22 v.)

)

23 WAYNE N. HAGE, Executor of the)

24 ESTATE OF E. WAYNE HAGE,)

25 and WAYNE N. HAGE, Individually,)

)

26 Defendants.)

)

Case No. 2:07-cv-01154-GMN-VCF

THE UNITED STATES OF AMERICA'S
UNOPPOSED MOTION FOR AN
EXTENSION OF TIME TO FILE
BRIEFING ON DAMAGES

COMES NOW the United States of America, Plaintiff herein, by and through undersigned counsel, and respectfully submits this Unopposed Motion for an Extension of Time to File Briefing on Damages. Specifically, the United States requests that the Court extend the deadline for the parties to file briefing addressing the issues outlined in the Court's April 7, 2016 Order on Mandate (Dkt. 452) by two weeks, or until May 12, 2016.

On January 15, 2016, the Court of Appeals for the Ninth Circuit entered judgment vacating in part, reversing in part, and remanding in part the judgment of the District Court. *United States v. Estate of E. Wayne Hage*, 810 F.3d 712 (9th Cir. 2016). On March 9, 2016, the Mandate issued. On April 7, 2016, this court entered two Orders on Mandate, one of which (Dkt. 452) orders:

[T]hat the parties will have twenty-one days from the date of this Mandate to file briefing ***only addressing:***

1. '[W]hether the source of law—state law or federal law—has any effect on the calculation of damages';
2. If so, whether state law or federal law governs the calculation of damages; and
3. The appropriate method to calculate damages owed to Plaintiff.

Order at 1 (emphasis in original). The United States has been working on a brief addressing the issues identified by the Court, but due to the voluminous record in this case as well as undersigned counsel having work travel and numerous deadlines in other cases during the response period, the United States needs additional time to finalize and file its brief.

Counsel for the United States contacted Mr. Hage and counsel for the Estate of E. Wayne Hage, Mark Pollot, regarding their position on this request for an extension. Both Mr. Hage and Mr. Pollot have indicated that they do not oppose this request for an extension.

Respectfully submitted this 27th day of April, 2016.

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s/ Anna K. Stimmel
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ORDER

IT IS HEREBY ORDERED that the deadline set in the Court's (452) Order of April 7, 2016 is extended to May 12, 2016.


UNITED STATES DISTRICT COURT JUDGE

DATED this 28 day of April, 2016.

CERTIFICATE OF SERVICE

I, the undersigned, declare and certify under penalty of perjury that I am over the age of eighteen years and not a party to this action; and that on April 27, 2016, I electronically served the attached document with the Clerk of the Court via the CM/ECF system, which was electronically sent to the parties at the places and addresses below stated:

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I hereby declare under penalty of perjury, that on April 19, 2016, a true and correct copy of the foregoing document was placed in the United States Mail, clearly addressed and postage prepaid, to the Defendant at the place and address below stated:

Wayne N. Hage
P.O. Box 513
Tonopah, Nevada 89049

s/ Anna K. Stimmel
ANNA K. STIMMEL